

1 Do you recall that?

2 A. Yes.

3 Q. With respect to each of those technicians,
4 did all of those respond to comtrack tickets?

5 A. Yes.

6 Q. Could they all perform the work that was
7 required that was assigned through the comtrack
8 system?

9 A. Yes. Not all, certain people would get
10 certain tasks, depending on whatever skill set I
11 noticed they had.

12 Q. Can you identify for me which of the
13 technicians you named which couldn't do which
14 particular tasks?

15 A. It's not that they couldn't do it. It's
16 depending on the business they supported. I may -- I
17 had one person supporting a certain business, which
18 would encompass a certain amount of floors.

19 So that person that supported that
20 business wouldn't really be doing work in the data
21 center because of his dependency -- the building --
22 the business's dependency on his work that he does for
23 them. So he wouldn't be in the data center. In the
24 data center I had a couple of people that worked
25 pretty much in that data center all the time.

1 Again, when certain things were more
2 busier, we swung the resources around, whether
3 building related or data center related, but pretty
4 much everyone had their set businesses and floors they
5 supported or buildings they supported or data centers
6 they supported or function they supported.

7 Q. It was more broken down by business center
8 with which they had the specific knowledge, rather
9 than like the task knowledge they had?

10 A. It could have been a combination of both. If
11 a person doesn't have skill set for a data center, he
12 would be more of a building type person.

13 Q. Of the people you named, which did not have
14 the skill set for the data center?

15 A. I wouldn't say he didn't have the skill set.
16 He did help on occasion, but John Walter was more of
17 the building side than the data center.

18 Q. So are you saying he didn't have the skill
19 set to work on the data center?

20 A. At that point he -- maybe he didn't, no.

21 Q. Did he develop it at some point?

22 A. Yes.

23 MS. BOUCHARD: I am going to object
24 based on this is a 30(b)6 deposition as to Mr.
25 Millan's job duties. I am not really sure -- I will

1 give you leeway. I am not sure why we are drilling
2 into each person's skill set other than Mr. Millan.

3 MS. WALSH: Off the record.

4 Stay on the record. I am entitled
5 to do a comparison with respect to what he did to
6 other people. I think that's a crucial aspect of the
7 case. I think it's relevant. To the extent you said
8 you will give me some leeway, I appreciate that. If
9 we get to questions you don't think are appropriate,
10 we will have a further discussion about it.

11 MS. BOUCHARD: Sure.

12 BY MS. WALSH:

13 Q. Anyone other than John Walter who you believe
14 didn't have the skill set to work in the data center?

15 A. I have to think of who I named.

16 I didn't name one person, Kenneth
17 McMahon.

18 Could you read the names back?

19 Q. William O'Donnell, John Franzitta, Chris
20 Depinto, Brian Haughton, Kenneth McMahon.

21 A. Kenneth McMahon probably wouldn't be one.

22 Q. Any particular reason?

23 A. No.

24 Q. Was there any reason why John Walter didn't
25 have the skill set to work in the data center?

1 A. Again, it's the business he supported. He
2 was mainly focussed on what he was supporting, and
3 when we needed help, we asked him for help to go into
4 the data center.

5 As far as day-to-day, he wasn't in
6 there.

7 Q. What skills did he not have that he would
8 need to work in the --

9 A. Network skills.

10 Q. Explain again what specific networking
11 skills?

12 A. Understanding the network architecture.

13 Q. Explain what network architecture is?

14 A. Basically the configurations we went through
15 earlier in understanding how the network works.

16 Q. What was different about the data center to
17 the other business floor unit that he supported?

18 A. Many more switches and routers are in the
19 data center.

20 Q. More volume-wise or more types?

21 A. More types, more volume, and pretty much all
22 network in the data center you need to understand the
23 network if you are connecting devices to it, a lot
24 better than you do on the floor side.

25 Q. Did Mr. Millan's responsibilities, when he

1 reported to you, change over the course of time?

2 A. Yes.

3 Q. How did they change?

4 A. He became a key person for compliance.

5 Q. Let's deal with that before we move on.

6 Explain how he became a key person
7 for compliance?

8 A. He helped build the continuity of business
9 plan, the process and control manual as well, he had a
10 lot of input into that, attended meetings for, you
11 know, compliance, handled most of the deliverables for
12 anything required by compliance offices.

13 Q. You said he helped build the continuity of
14 business plan. Let's start with that.

15 What is the continuity of business
16 plan?

17 A. It's a disaster recovery plan for emergency
18 situations, a document that dictates evacuation plans
19 and contact information, what to do during certain
20 situations.

21 Q. Was the continue -- the COP, right?

22 A. B.

23 Q. Sorry. Was the COB created just for your
24 department?

25 A. No.

- 1 Q. Was there a COB for the entire company?
- 2 A. I believe everyone had to create a COB.
- 3 Q. Each different department had their own COB
- 4 plan?
- 5 A. I believe so.
- 6 Q. And did your group have its own COB plan?
- 7 A. Yes.
- 8 Q. And the one that Mr. Millan created was for
- 9 your specific group?
- 10 A. Yes.
- 11 Q. And that was your group, meaning you as team
- 12 leader plus your six people, or a wider group than
- 13 that?
- 14 A. I believe it was -- also encompassed Rick
- 15 Braunagel as well. I believe the manual -- the COB
- 16 and the manual was for both Rick Braunagel and myself
- 17 under Garfield Spence.
- 18 Q. Did a directive come from somebody to create
- 19 a COB plan?
- 20 A. Senior management. I don't know --
- 21 Q. How did you get the directive, or did you get
- 22 the directive?
- 23 A. From Garfield.
- 24 Q. When was it that Garfield Spence communicated
- 25 to you there was a need to integrate a COB plan?

1 A. I don't recall that.

2 Q. Was it around September 11th, 2001?

3 A. It was probably after that time.

4 Q. Was that the impetus for the creation of it?

5 A. I think so. I believe so.

6 Q. What did Garfield Spence tell you in terms of

7 integration of a COB plan, what was required?

8 A. It was collaborative between Gary and the

9 compliance offices.

10 Q. Who is Gary?

11 A. Garfield Spence.

12 Q. That's his nickname?

13 A. (Witness nods head.)

14 Q. Were you given any materials or documentation

15 to explain what was required to create the COB plan?

16 A. Yes.

17 Q. What were you given?

18 A. I don't recall what it was.

19 Q. Did it have information contained in there as

20 to what was required?

21 A. Yes. Again, Carmelo worked pretty much

22 directly with the compliance offices to get it done.

23 When I got a request to add

24 something or remove something, we spoke about it or I

25 e-mailed him to input something new into the COB plan

1 or manual, but pretty much worked directly with the
2 compliance offices in getting all deliverables
3 completed.

4 Q. When you say the compliance offices, what
5 department is that?

6 A. Compliance.

7 Q. So there's a separate department called
8 compliance?

9 A. Yes.

10 Q. Was that for the entire CTI or for your group
11 specifically --

12 A. Entire CTI.

13 Q. So who determined Mr. Millan was going to be
14 assigned to do that?

15 A. Me.

16 Q. Did you provide him with the documents Mr.
17 Spence gave to you in connection with that?

18 A. Early on we collaborated on it, but he pretty
19 much built it with compliance.

20 Q. Was Rich Braunagel involved in that at all?

21 A. I don't recall if he was. I know he was
22 involved with the manual, but I don't recall about the
23 compliance, the COB plan.

24 Q. What information was in the COB plan?

25 MS. BOUCHARD: Other than what he

1 testified to?

2 MS. WALSH: Yes. He said what the
3 purpose of it was.

4 Q. I want to know what information was actually
5 in there. I don't have it.

6 A. Evacuation procedures, contact lists. That's
7 really all I can think of, off the top of my head.

8 Q. In addition to evacuation procedures and
9 contact lists, was there other information but you
10 just don't recall right now?

11 A. I just don't recall. Application testing
12 procedures, there are tests you need to conduct in
13 order to insure your unit will function in the event
14 of a disaster. There's COB testing involved with
15 that.

16 Q. Was there a template or master COB plan
17 distributed to assist in the process?

18 A. I don't know.

19 Q. Did you make any efforts to find that out?

20 A. I don't remember that far back, whether we
21 received a template or if it was created from scratch.

22 Q. Did you make efforts to find that out for
23 today?

24 A. No.

25 Q. When you say -- you testified you originally

1 collaborated with Mr. Millan with respect to the
2 creation of the COB.

3 What did you do specifically in that
4 regard?

5 A. I pretty much gave -- I don't really recall
6 exactly what I did, but I know I got him engaged early
7 on to work with compliance to get it built. So
8 compliance asked me. I guess they asked Gary, and
9 Gary asked me, and I said have them work with Carmelo.
10 That was the collaboration, he was the key person for
11 it.

12 If he needed -- if Carmelo needed
13 information, he would come to me, say, Tom, I am
14 updating, you know -- building this portion of it, I
15 need this information from you, and I would provide
16 it.

17 Q. How would he find out what information needed
18 to go into it?

19 A. Work with compliance.

20 Q. Did he get that information from compliance?

21 A. Yes.

22 Q. And then he compiled the information into the
23 COB?

24 A. Yes.

25 Q. If he needed to know information that he

1 didn't have, he would come and ask you for it?

2 A. If he needed data.

3 Q. How long did the project take, the creation
4 as opposed to the updating of it?

5 A. I honestly don't know. Couple months maybe.
6 I don't know.

7 Q. Was Mr. Millan still working on his other
8 duties and responsibilities during that time?

9 A. Yes.

10 Q. Did he scale back on his other duties and
11 responsibilities to do this?

12 A. No. He was relied upon for a lot of network
13 stuff. Network issues, he was pretty well versed at.
14 So he never relinquished that. He may have done, you
15 know, less tasks at that point, because he was doing a
16 lot of compliance but, no, never relinquished his
17 duties totally.

18 Q. Now, you testified that changes would need to
19 be made to the COB from time to time.

20 What type of changes?

21 A. Name changes, could have been phone numbers,
22 could have been business unit head changes. We had
23 business contacts, business contacts for certain
24 departments.

25 Q. When you say business unit head changes, you

1 are talking about people's names again?

2 A. People's names, departmental contacts.

3 Q. Any other changes that would need to be made
4 to the COB over the course of time Mr. Millan was
5 working on it?

6 A. Processes, maybe, to the facility depending
7 on, you know, power loads and UPS, any time new sites
8 were being built, they would be incorporated.

9 Q. Did he work in any other capacity, other than
10 an evacuation plan or emergency --

11 A. Call-tree testing.

12 Q. Is that all one word or -- how do you --

13 A. Call dash tree, T-R-E-E, testing.

14 Q. One E?

15 A. Two E's.

16 Q. What is call-tree testing?

17 A. It's where management initiates a call-tree
18 to get response from his team.

19 Q. Like a phone chain?

20 A. Yes.

21 Q. Was it used for any other purpose?

22 A. COB?

23 Q. Yes.

24 A. It was used for power downs, building power
25 downs, when buildings got shut down, they referred to

1 the COB plan.

2 Q. Any other function?

3 A. I don't know off the top of my head without
4 looking at it.

5 Q. And if changes needed to be made to the COB,
6 would Mr. Millan consult with you with respect to
7 those changes?

8 A. Yes, he would let me know what changes he's
9 making, or if Gary or compliance came to me directly,
10 I would forward it to him. We would keep each other
11 in the loop. It worked out pretty well.

12 Q. You communicated changes to him also?

13 A. Yes.

14 Q. Was there a system for tracking the time that
15 you worked or the time you spent on a specific project
16 when Mr. Millan reported to you?

17 A. Time reporting system, as I spoke about
18 earlier.

19 Q. Did you -- withdrawn.

20 When Mr. Millan first reported to
21 you, where were you physically located, where was your
22 office located or your desk located.

23 A. 388 Greenwich Street.

24 Q. Which floor?

25 A. Thirteen.

1 Q. Was that a data center?

2 A. No.

3 Q. Is that the only place where you had a desk
4 at that time?

5 A. 388 Greenwich, yes.

6 Q. Where was Mr. Millan's desk at that time?

7 A. 388 Greenwich, 13th floor.

8 Q. Over the course of time that he reported to
9 you, did that ever change?

10 A. I don't remember -- no, it didn't. He did
11 from time to time help out in support at 34th Street,
12 333 West 34th Street. That was only to cover when
13 someone was out, Bill O'Donnell was out. No, he was
14 always at 388 with me.

15 Q. Was there a talk in, talk out system or
16 security system for getting into the building?

17 A. There was a swipe to get in, not to get out.

18 Q. Aside from the swipe system, was there any
19 type of clock in system --

20 A. No.

21 Q. -- that reported your time of coming and
22 leaving?

23 A. No.

24 Q. And the time reporting, what did you call it,
25 time reporting system?

1 A. Yes.

2 Q. TRS it's referred to as?

3 A. Yes.

4 Q. Is that a system that's still in place

5 currently?

6 A. No.

7 Q. When was that done away with?

8 A. I believe it was last year.

9 Q. And was it in place the entire time Mr.

10 Millan reported to you?

11 A. I don't know if it was.

12 Q. How did the time reporting system work, how

13 would you record your time through it?

14 A. Just enter your time next to the projects

15 that you were supporting and put your hours in.

16 Q. How often was it done, weekly basis or

17 something else?

18 A. Weekly.

19 Q. And so you would enter your time, and you

20 would specify the specific project that you were

21 working on?

22 A. The projects would be in there, they would be

23 assigned by the project manager.

24 Q. TRS had the project in its system, and you

25 just went in and found that specific project and

1 assigned your time to it?

2 A. Yes, just put your hours against it.

3 Q. So it would be as specific as, you know,
4 there's a move from this floor to this floor --

5 A. Not that granular, no.

6 Q. How granular was it?

7 A. Project related, if we were doing a
8 build-out. If the project managers decided it was big
9 enough to call it a project, they would assign us to
10 it, and then we would book our time.

11 Other than that, there were request
12 buckets and problem manager buckets.

13 Q. So it was more general than specific as to
14 place and location?

15 A. Yes.

16 Q. When Mr. Millan was working on the
17 maintaining or updating the COB, what would he assign
18 the time to?

19 A. I believe at that point we may have had a
20 bucket for it, but I can't confirm.

21 Q. If you didn't have a bucket for it, in your
22 opinion, what would have been the appropriate bucket
23 for him to put that time in?

24 A. COB -- if we didn't have a COB bucket you
25 mean?

1 Q. Yes.

2 A. I don't know, maybe BAU requests. I don't
3 recall.

4 Q. How many different project names were there
5 that time could be assigned to?

6 A. I don't know. Could have been two, ten. I
7 don't know.

8 Q. Are you familiar with the term infrastructure
9 integration base support?

10 A. Yes.

11 Q. What does that mean?

12 A. That may have been for our daily MAC
13 activities, daily move activities.

14 Q. I know you said it may have been.

15 Are you not sure with respect to
16 that?

17 A. Yes, I am not sure. I think we used it for
18 BAU.

19 Q. Was that a project name within TRS?

20 A. Yes.

21 Q. How about infrastructure integration
22 projects?

23 A. I don't remember that one.

24 Q. How about infrastructure CSR requests?

25 A. That's where we booked our time to, I guess,

1 for CSR's, comtrack requests.

2 Q. What is CSR?

3 A. Comtrack service request.

4 Q. If you were doing a TAS project, what would
5 you bill that to or --

6 MS. PONTOSKI: Objection to the form
7 of the question.

8 A. I don't know. Project manager created those
9 buckets. I don't know. I didn't create the project
10 buckets.

11 Q. You said infrastructure CSR requests would
12 have been comtrack requests.

13 Would there have been a similar
14 bucket to deal with TAS requests?

15 A. I don't recall that we had anything for TAS.
16 I am not sure. At that time I didn't create -- I
17 believe Garfield was involved with that or the project
18 manager, but I can't say that I was.

19 (Saranello Deposition Exhibit Number
20 2 was marked for identification.)

21 Q. I am going to show you, Mr. Saranello, what
22 has been marked as Exhibit 2, and just for
23 identification purposes it's a seven-page document
24 Bates stamped CTI 00001249 through 1255. I am going
25 to ask you to have a look at it.

1 A. Okay.

2 Q. Are you ready?

3 A. Yes.

4 Q. With respect to the first page of this, on
5 the bottom left-hand side on page one --

6 MS. PONTOSKI: Could we describe
7 this?

8 Q. Well, the first page of the exhibit, there's
9 a -- there's a chart, and at the very bottom entry on
10 the left-hand side there's a number.

11 Do you see the number --

12 A. Um-humm.

13 Q. -- at the very bottom on the left-hand side?

14 A. (Witness nods head.)

15 Q. Right to the right of the number there's a
16 code that reads WTC slash COB network integration.

17 You testified earlier you thought
18 there might have been a project name that was created
19 specifically for the development of the COB?

20 A. No. This isn't it.

21 Q. Tell me what this is.

22 A. This was our disaster recovery efforts for
23 9/11 from what I remember.

24 Q. Do you recognize the document I gave you?

25 A. Yes.

1 Q. What is it?

2 A. TRS.

3 Q. When you say TRS?

4 A. Time reporting system, I believe, or project
5 tracking system, which is what TRS feeds.

6 Q. Is project tracking system a separate system?

7 A. No. It's part of -- one in the same.

8 Project tracking is where the projects are created
9 from, and then we would view them in TRS and put our
10 time in TRS.

11 Q. And is this -- if you look at the employee
12 name in the third column in from the right, it says
13 Carmelo Millan.

14 Do you see that?

15 A. Um-humm.

16 Q. Would these be the hours that Carmelo Millan
17 assigned to different projects when he worked for CTI?

18 A. That's what he submitted.

19 Q. Is there ever a situation where time isn't
20 submitted where it should be?

21 MS. PONTOSKI: Object to the form of
22 the question.

23 A. Yes, I would think so. I can't confirm that.

24 Q. When Mr. Millan reported to you, were you
25 responsible for reviewing your technicians' time

1 inputting records?

2 A. The only time we reviewed them was when
3 someone didn't enter it, and we got a report back
4 saying their time wasn't entered.

5 Q. And that would be where no time was entered?

6 A. Right.

7 Q. So if they entered partial time, would you --
8 would you be made aware of that?

9 A. By management; management would make us aware
10 to enter time.

11 Q. And what would you do when you were notified
12 that there was an issue with time?

13 A. I would let someone know, complete your TRS.

14 Q. Would there ever be a time you might miss
15 telling someone to complete their TRS?

16 A. No. Because the senior management would get
17 the report on Mondays, and they would come back to us
18 and tell us who didn't enter their time.

19 Q. How would they know, for example, if someone
20 entered thirty hours for a week but were there for
21 fifty, how would they know there was a deficiency?

22 MS. PONTOSKI: Objection to the form
23 of the question.

24 A. They wouldn't. I don't know the answer to
25 that. It's a system you can go in and put hours

1 against. To confirm every hour without any time
2 clocking system, it's tough to do.

3 Q. Did you keep a record of your time the same
4 way through the TRS?

5 A. Record? Print it out?

6 Q. No. Did you have to enter your time the same
7 way as everybody else?

8 A. Yes.

9 Q. Did everybody within your group have to use
10 this system for keeping track of their time?

11 A. Yes.

12 Q. Did the individual technicians determine
13 which project name to assign their time to, or were
14 they told which project name to assign their name to?

15 A. They were assigned the projects by
16 management.

17 Q. They didn't make the determination, they did
18 it based on what they were told?

19 MS. PONTOSKI: Objection.

20 A. Can you ask it again?

21 Q. If someone is entering their time, when they
22 go in to identify which hours they are going to assign
23 time to, which project, do they make the determination
24 as to which project they are assigning the time to --

25 A. Yes.

1 Q. -- or have they been instructed which project
2 to use?

3 A. No, they do it on their own, depending on
4 what they worked on that week.

5 Q. If somebody misenters information in there,
6 how is that detected?

7 MS. PONTOSKI: Objection to the
8 form.

9 A. I don't know. I don't know. The only thing
10 we got back from senior management was a time that
11 wasn't entered for that week.

12 Q. So if there was no time entered for that
13 week?

14 A. Yes.

15 Q. When Mr. Millan started reporting to you, how
16 much vacation time did he have?

17 A. I don't know.

18 Q. Was there a standard number of weeks the
19 technicians in your group had at that time?

20 A. There is an HR policy on vacation time, but I
21 don't recall what it was back then.

22 Q. Did you make any efforts to find it out for
23 the deposition today?

24 MS. PONTOSKI: I am going to object
25 to this line of questioning. I think this goes beyond

1 the scope of what we produced this witness on; duties
2 and responsibilities of Carmelo Millan. So he can
3 answer in his individual capacity but not as a 30(b)6
4 witness.

5 A. I don't know.

6 Q. We started talking about the additional
7 responsibilities Mr. Millan assumed. The one we just
8 discussed was the continuity of business plan. And
9 the second one you said was the process and control
10 manual.

11 I want to ask you some questions
12 about that. At the time Mr. Millan started to report
13 to you, did your group have a process and control
14 manual?

15 A. Yes. I believe that was the first directive
16 we received from compliance when compliance started
17 getting heavy at Citi.

18 Q. What was the importance of doing all this for
19 compliance purposes?

20 MS. PONTOSKI: Objection to the form
21 of the question.

22 A. I can't comment on the importance, but we had
23 to make sure we had all our processes in the manual.

24 Q. So I asked if there was a PC -- do you mind
25 if I refer to it as a PCM?

1 A. Sure.

2 Q. I asked if there was a PCM in place at the
3 time Mr. Millan came on board in your group.

4 I am not sure if you answered that.

5 A. I don't know if he was there while it was
6 being created. He may have already been working for
7 me. I am not sure.

8 Q. Was he involved in the creation of the
9 original PCM?

10 A. I don't recall. I know that on the PCM he's
11 not listed as an originator. But he did do the
12 maintenance of it afterwards.

13 Q. Who was listed as an originator?

14 A. I believe it was myself, John Franzitta and
15 Rick Braunagel.

16 Q. Was that one of the documents you reviewed in
17 preparation for your deposition?

18 MS. PONTOSKI: I want to object.

19 Are you asking if he reviewed them
20 with us?

21 MS. WALSH: I am entitled to know
22 what he reviewed for the deposition, with you or not.
23 I think he testified he did.

24 A. Yes, I reviewed the manuals.

25 Q. Do you recall the dates that were on there in

1 terms of creation?

2 A. I don't know. I don't recall.

3 Q. What is the PCM, or what was the PCM that --
4 the one created at that time?

5 A. Process and control manual shows all your --
6 all the processes you use within the group, meaning
7 contract, TAS, LOIS, TAS, same thing. TAS was called
8 LOIS before it was TAS.

9 Q. L-O-I-S?

10 A. Yes. It lists the sites you support. That's
11 pretty much it. It's a document for -- process
12 document, shows what processes were used in our
13 department.

14 Q. Does every group have -- within CTI have a
15 PCM?

16 A. I can't answer that. I don't know.

17 Q. Do you know if any other group has a PCM,
18 other than your group at the time?

19 A. I believe so, yes.

20 Q. What was the purpose of the PCM?

21 A. Directive from compliance.

22 Q. Did you use it for any other purpose than
23 compliance issues?

24 A. Just to document processes.

25 Q. Did you use it for training purposes?

1 A. You can refer to it if you need to look
2 through it.

3 Q. Do you give it to a new technicians when they
4 start to work with you?

5 A. Yes.

6 Q. Did you give a copy of the existing PCM to
7 Mr. Millan when he started to work with you?

8 A. I don't recall.

9 Q. Is it your practice to give it to new
10 technicians when they start to work with you?

11 A. Yes.

12 Q. Was it used for any other purposes than the
13 ones we have just gone through?

14 A. Not that I know of.

15 Q. In terms of updates, at some point in time
16 Mr. Millan took on responsibility for updating the
17 PCM. Who assigned him that task?

18 A. Me.

19 Q. When was that?

20 A. I don't recall.

21 Q. Was there a reason you decided to assign it
22 to him?

23 A. Yes.

24 Q. Why?

25 A. Because compliance was a little too much for

1 me to handle with my management duties. He was the
2 key point person, knowledgeable, intelligent and was
3 the best person for it.

4 Q. John Franzitta you said worked on the
5 original creation of the PCM?

6 A. Yes.

7 Q. Is he still in your group at the time?

8 A. I don't remember when John left my
9 department, but it may have been around that time.

10 Q. Was he ever involved in doing the updates to
11 the PCM?

12 A. John was one of the creators of it, so
13 myself, John, and Rick Braunagel were doing the
14 updates.

15 Q. What's John Franzitta's position now?

16 A. I don't know. He works in network
17 integration.

18 Q. What was involved in updating the PCM?

19 A. Structure changes, process changes, anything
20 that may have been missing that compliance dictated to
21 us and said, you know, this is a new thing that came
22 down, and we need to put this in here.

23 Q. Was the compliance department the department
24 that determined what information needed to be in the
25 PCM?

1 A. They were given the guidelines, and they
2 passed them down to us.

3 Q. Where did the guidelines originate from?

4 A. I don't know. Senior management.

5 Q. I asked what updates needed to be made to the
6 PCM. You said structure changes.

7 Can you explain what that is?

8 A. Just the sections, the way they were phrased,
9 whether a process was under a change management or
10 problem management, just how the PCM looks pretty
11 much.

12 Q. And how about process changes, what is that?

13 A. Process change, process -- contract became
14 another program, you know, that would be a process
15 change, screen shots of the processes.

16 Q. Could you estimate for me on a monthly basis
17 how many updates would need to be done to the PCM?

18 MS. PONTOSKI: Objection to the form
19 of the question.

20 A. No.

21 Q. Was it something that had to be maintained on
22 a weekly basis?

23 A. Yes, weekly, daily, depending on when we got
24 a request from compliance.

25 Q. So the changes were based on getting a

1 request from compliance?

2 A. Yes. If somebody's name changed, phone
3 number changed, processes changed, we would take it
4 upon ourselves without compliance.

5 Q. While Mr. Millan had the responsibility to
6 update the PCM and make the changes, did he also
7 continue to do his other duties and responsibilities?

8 A. Yes.

9 Q. While Mr. Millan reported to you, he didn't
10 supervise any other employees, did he?

11 A. No.

12 Q. He didn't have the ability to hire employees,
13 did he?

14 A. No.

15 Q. Did he have the ability to fire employees?

16 A. No.

17 Q. Was he in any way related with managing
18 employees, other employees?

19 A. No.

20 Q. Did he have any management responsibilities?

21 MS. PONTOSKI: Objection to the form
22 of the question.

23 A. It depends on what you consider management.
24 If you consider tasking a project to him and letting
25 him handle it himself, he's managing it. He doesn't

1 come to you every step of the way he is managing a
2 project. So he definitely did manage on his own
3 pretty well when a task was given to him. He attended
4 meetings..

5 Q. We discussed the COB plan, process and
6 control manual, and another area you testified to that
7 Mr. Millan assumed responsibility for was attending
8 meetings for compliance.

9 I just want to get again an
10 explanation as to what that entailed?

11 A. Meetings regarding changes to compliance
12 activities.

13 Q. Was that to do with the PCM or COB or
14 something different?

15 A. Yes. Or risk and control, self-assessments
16 he handled as well, which is questions pertaining to
17 each process that we as a group had to enter for
18 compliance, and that's a role he handled.

19 Q. So compliance would present questions to you
20 with respect to processes?

21 A. Compliance would say, here is the problem
22 management risk and control self-assessment. You need
23 to complete it by such and such a date. You need to
24 answer all questions, you need to provide all
25 evidence.

1 Q. How often were you given a project management
2 risk and control self-assessment?

3 A. It could have been early on. I don't know if
4 it was quarterly. I don't know if it was semiannually
5 or annually, but he was handling them.

6 Q. It could have been annually, it could have
7 been quarterly --

8 A. It changed.

9 Q. -- semiannually?

10 Did it get more frequent or less
11 frequent over the time he reported to you?

12 A. It changes. It could be first quarter we
13 would be doing change management and problem
14 management. Second quarter would be vendor
15 management. I can't be specific when we conducted
16 them, because they changed so frequently.

17 Q. Did you attend those meetings?

18 A. Several, but not -- I wasn't on every single
19 one of them, because he was taking care of that
20 function.

21 Q. Now, what efforts did you make to determine
22 how often the project management risk and control
23 self-assessment was given?

24 A. We took guidance from compliance.

25 Q. For your deposition today did you make any

1 efforts to determine how often the project management
2 risk and control self-assessment was issued?

3 A. Problem management.

4 Q. Sorry.

5 A. I made no efforts.

6 Q. How often, say over the course of the time
7 that Mr. Millan was reporting to you, how often were
8 their meetings that related to compliance issues?

9 A. I don't know.

10 Q. Did you make any efforts before your
11 deposition to find out that information?

12 A. No.

13 Q. Would there have been more than one a year?

14 A. Yes.

15 Q. Would there be more than one a month?

16 A. I don't know. I would say at least one a
17 month.

18 Q. Now, you said that they would actually
19 issue -- was this a paper document, the problem
20 management risk and control self-assessment?

21 A. Yes, paper and electronic.

22 Q. Different ones dealt with different aspects
23 of the processes within your department?

24 A. Yes, whatever pertained to our department we
25 had to complete a self-assessment form, and compliance

1 would tell us, guide us, when to do them.

2 Q. Did you make any efforts to obtain copies of
3 those self-assessment forms?

4 A. No.

5 Q. Did Mr. Millan complete the self-assessment
6 forms?

7 A. He did a large portion of it, yes.

8 Q. Who else worked on it?

9 A. I worked on it with him, I believe.

10 Q. Anyone else?

11 A. I don't know.

12 Q. What type of information needed to be given,
13 could you give me an example?

14 A. We would have to make sure we had a certain
15 process in place for problem resolving, and we would
16 have to give evidence that we completed those
17 problems, and then they identify risks and how many
18 high risk problems do you complete, how many low risk
19 problems do you complete, questions just confirming
20 that you pretty much have a process and providing the
21 evidence you are using the system.

22 Q. Did you use information that was contained in
23 the PCM to complete the self-assessments?

24 A. Yes.

25 Q. You also said that Mr. Millan handled most of

1 the deliverables for the compliance office.

2 Could you explain what that is?

3 A. That's what we are speaking about, those are
4 the LOIS, RCSA --

5 Q. Risk and control self-assessment, I could
6 have been saying RCSA all this time.

7 A. Yes, COB, PCM, those are all compliance
8 deliverables.

9 Q. Anything else that we haven't gone over
10 that's included in those functions?

11 A. I'm sorry.

12 Q. You listed four different responsibilities
13 that Mr. Millan took on while he reported to you.

14 You said he helped build the
15 continuity of business plan. We talked about that and
16 his involvement in that. You said he helped maintain
17 the process and control manual.

18 A. Yes.

19 Q. We talked about that and everything he did
20 for that.

21 You said he attended meetings for
22 compliance issues?

23 A. Yes.

24 Q. We reviewed what he did for that and talked
25 about that.

1 You said he handled most of the
2 deliverables for the compliance office?

3 A. Yes.

4 Q. Any other additional responsibilities that
5 Mr. Millan took on over the course of the time
6 reporting to you?

7 A. The only other thing, when we were -- when
8 there would be network issues, he would be one of the
9 people I refer to to work on a higher level issue
10 because of his network background.

11 Q. Weren't all of your issues network issues?

12 A. Network, cable, a lot of them are cable
13 issues.

14 Q. What's the difference between a network and a
15 cable issue?

16 A. Cabling is cabling, network is network.

17 (Discussion held off the record.)

18 A. There are many layers to the network. You
19 know what I mean. Cabling is one of them, and network
20 layer is another one. That's what he was good with,
21 which is why he moved to engineering.

22 (Saranello Deposition Exhibit Number
23 3 was marked for identification.)

24 Q. I will give you what was marked as Exhibit 3.
25 For identification purposes, it's a four-page document

1 that has Bates stamped CTI 000326 through 329. And I
2 am going to give you a moment to review that document.

3 Do you recognize Exhibit 3?

4 A. Yes.

5 Q. What is it?

6 A. 2002 year end performance review for Carmelo
7 Millan.

8 Q. Did you create this performance review?

9 A. Yes.

10 Q. With respect to section two, assessment of
11 job related factors, is it correct with respect to all
12 but one of those categories, you marked him as a
13 consistent performer?

14 A. Yes.

15 Q. And in one of those categories, job
16 proficiency, knowledge, you marked him as a top --
17 strong performer?

18 A. Yes.

19 Q. You didn't mark him as a top performer with
20 respect to any of the categories, is that correct?

21 A. Yes.

22 Q. With respect to section three on the second
23 page, assessment of managerial factors, written in
24 there is not applicable?

25 A. Yes.

1 Q. Is that because he wasn't responsible for any
2 of those managerial factors?

3 A. Yes.

4 Q. Under the overall performance summary at the
5 end of that page you have written, last sentence, he
6 has completed a total of 859 comtrack tasks for the
7 year.

8 Is that a typical number of comtrack
9 tasks for a technician to complete in a year?

10 MS. PONTOSKI: Objection to the
11 form.

12 A. That's a pretty good number.

13 Q. So it would be higher than average number?

14 A. Yes.

15 Q. It also says in the same box, he's currently
16 assisting in the 388 Greenwich Street network security
17 directive?

18 A. Yes.

19 Q. What is that?

20 A. That's a project to shut down unused network
21 ports.

22 Q. That's the process we discussed earlier?

23 A. This was a project. This wasn't --

24 Q. The process of shutting down unused network
25 ports, that's what we discussed earlier?

- 1 A. Yes.
- 2 Q. Just explain -- this also refers to a human
3 resources restack.
- 4 Could you tell me what a restack is?
- 5 A. It was a move of 141 people.
- 6 Q. What is a restack, is that what it is, a
7 move?
- 8 A. Basically a business coming together
9 somewhere, because they are scattered maybe.
- 10 Q. It's a different term than a regular move?
- 11 A. Restack, relocation, move, they are all kind
12 of --
- 13 Q. Interchangeable?
- 14 A. Yes.
- 15 Q. When you say he was the lead technician, what
16 does that mean?
- 17 A. He ran with that project with little or no
18 direction from management.
- 19 Q. Was there a particular site Mr. Millan was
20 assigned to more than any other site when he reported
21 to you?
- 22 A. 388 Greenwich Street and the 390 data center
23 when he did work in there. 333 West 34th Street at
24 times as well.
- 25 Q. Was there a lab facility or something

1 referred to as lab facility at 388 Greenwich?

2 A. Yes.

3 Q. What was that?

4 A. The lab at 388 was the old data center at
5 388, which network engineering claimed for their space
6 and which we built.

7 Carmelo I believe towards the end,
8 he was the lead building that.

9 Q. Was it on a particular floor of 388
10 Greenwich?

11 A. Twelfth floor.

12 Q. Your desks were located on the 13th floor?

13 A. Yes.

14 Q. Was he the only technician who worked on that
15 project?

16 A. Early on, I believe everyone was pitching in,
17 a little bit here and there. But he wound up taking
18 it.

19 Q. When did that project start?

20 A. Towards the end of when he moved over to
21 network engineering.

22 Q. Just to go back to the first page of Exhibit
23 3, under job title at the very top, it says analyst.

24 Is that a title that was given to
25 the technicians who worked in your group?

- 1 A. I am not familiar with the titles back then.
- 2 Q. Did you ever refer to technicians as
- 3 telecommunications analysts?
- 4 A. No.
- 5 Q. Or telecom analysts?
- 6 A. No. Techs, I call them techs.
- 7 Q. So network engineering you said took over the
- 8 twelfth floor at 388 Greenwich Street?
- 9 A. It was a lab for network engineering.
- 10 Q. And what was the purpose of the lab?
- 11 A. Testing new technologies, before going into
- 12 production.
- 13 Q. New technology, was the new technology being
- 14 tested for CTI?
- 15 A. I don't know. It's a network engineering
- 16 function, I don't know.
- 17 Q. How many people were working in the lab at
- 18 the time?
- 19 A. No one. The lab was being built.
- 20 Q. When it was first in production, after it was
- 21 built, how many people were working there?
- 22 A. When it was -- after it was built, the lab
- 23 was turned over to network engineering. I don't know.
- 24 I can't answer that.
- 25 Q. Before it was built, was it under your

1 jurisdiction?

2 A. We were pretty much just building it for
3 engineering like any other build-out, and then it's
4 supported by that department that lives in there.

5 Q. So in terms of building it, you weren't
6 responsible for purchasing the items?

7 A. No.

8 Q. That was integration?

9 A. Well, it could have been done like any other
10 project, but I don't recall exactly how it was done.
11 We built it like we built out any other space.

12 The only difference is whereas we
13 build a data center and then we support that data
14 center day two for moves, adds and changes, in a lab
15 environment we don't.

16 Q. Why not?

17 A. Because it's not production. And the lab
18 owner supports it, and that's when it was turned over
19 to network engineering.

20 Q. When you say not production, what do you mean
21 by that?

22 A. For testing purposes. It means not real
23 business going on in there.

24 Q. It's not like there's traders or --

25 A. No, it's a test lab.